

**CHAPTER NO. 607**

**HOUSE BILL NO. 710**

**By Representatives Sands, Todd**

**Substituted for: Senate Bill No. 398**

**By Senator Haynes**

AN ACT to amend Tennessee Code Annotated, Section 20-12-127 and Title 41, Chapter 21, relative to inmate litigation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-21-808, is amended by deleting that section in its entirety and by substituting instead the following: 41-21-808.

(a) Judgment may be rendered for costs at the conclusion of the suit, action, claim or appeal as in other proceedings. If the judgment against the inmate includes the payment of costs, the inmate shall be required to pay the full amount of costs ordered.

(b) The clerk of the court shall mail a copy of the court's judgment taxing costs against the inmate to the department or county jail, as appropriate. On receipt of a copy of the judgment, the department or county jail shall withdraw funds from the inmate's trust account in the amounts provided by §41-21-807(b) for the collection of filing fees and shall forward the collected funds to the clerk of the court until the costs are paid in full or the inmate is released from confinement.

(c) This section establishes an additional method for collecting costs separate from an execution or garnishment under Title 26. The provisions of Title 26, Chapter 2 relative to exemptions and garnishments shall not apply to collections made pursuant to this section. In addition to collecting costs under the provisions of this section, the clerk of the court may pursue any other means of collection provided for by law.

(d) An inmate may authorize payments to the clerk of the court in addition to those payments authorized by this section.


SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 10, 2002

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 17<sup>th</sup> day of April 2002

  
DON CONQUIST, GOVERNOR